

EXHIBIT A

Fumerton, Tara A.

From: Fumerton, Tara A.
Sent: Wednesday, March 1, 2023 10:31 AM
To: Peter H. Weinberger
Cc: Tabacchi, Tina M.; Majoras, John M.; fgallucci@pglawyer.com; Justin Washburne; dan_polster@ohnd.uscourts.gov
Subject: RE: T3 Injunction Order - Walmart Policy (Confidential)

Pete - The Injunction Order requires that defendants provide the relevant policies required by the Injunction Order to only the Court and the Counties (not the PEC or MDL plaintiff lawyers more generally). Walmart complied with that requirement on February 20.

You are now asking for additional policies. As a courtesy Walmart was willing to provide you with the policies you requested, but only if you assure Walmart that these current policies be maintained as confidential and not disseminated beyond counsel for the Counties.

The relevant question is not what order prevents dissemination of these policies broadly to PEC members who have signed protective orders but whether there is any order that requires it? There is not.

Tara

Tara A. Fumerton ([bio](#))
Partner
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Chicago, IL 60606
Office +1.312.269.4335
tfumerton@jonesday.com

From: Peter H. Weinberger <PWeinberger@spanglaw.com>
Date: Tuesday, Feb 28, 2023 at 5:25 PM
To: Fumerton, Tara A. <tfumerton@JonesDay.com>
Cc: Tabacchi, Tina M. <tmtabacchi@JonesDay.com>, Majoras, John M. <jmmajoras@JonesDay.com>, fgallucci@pglawyer.com <fgallucci@pglawyer.com>, Justin Washburne <Justin_Washburne@ohnd.uscourts.gov>, dan_polster@ohnd.uscourts.gov <dan_polster@ohnd.uscourts.gov>
Subject: Re: T3 Injunction Order - Walmart Policy (Confidential)

**** External mail ****

As I communicated to Eric in an earlier email, provide us the basis in a Court Order that prevents dissemination of your policies to PEC members who have signed protective orders. As for our right to see the POMs the injunctive Order requires production of the POMs.

Pete

Sent from my iPhone

On Feb 28, 2023, at 3:20 PM, Fumerton, Tara A. <tfumerton@jonesday.com> wrote:

Pete – While we do not see a basis for your request, we will nonetheless provide the current policies referenced in Section VIII, if you agree to maintain these documents as confidential and not share them with anyone other than counsel of record for the Counties (i.e. Mark Lanier, Rachael Lanier, Laura Fitzpatrick, Salvatore Badala, Frank Gallucci, and yourself).

Thanks,

Tara

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Partner
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From: Peter H. Weinberger <PWeinberger@spanglaw.com>
Sent: Tuesday, February 28, 2023 10:08 AM
To: Fumerton, Tara A. <tfumerton@JonesDay.com>; Tabacchi, Tina M. <tmtabacchi@JonesDay.com>; Majoras, John M. <jmmajoras@JonesDay.com>
Cc: fgallucci@pglawyer.com; Justin Washburne <Justin_Washburne@ohnd.uscourts.gov>; Dan_Polster@ohnd.uscourts.gov
Subject: RE: T3 Injunction Order - Walmart Policy (Confidential)

**** External mail ****

Tara:

Are you going to provide us this information or not?

Pete

From: Peter H. Weinberger
Sent: Wednesday, February 22, 2023 8:58 AM
To: tfumerton@jonesday.com; tmtabacchi@jonesday.com; jmmajoras@jonesday.com
Cc: fgallucci@pglawyer.com; Justin Washburne <Justin_Washburne@ohnd.uscourts.gov>;

Dan_Polster@ohnd.uscourts.gov

Subject: Fwd: T3 Injunction Order - Walmart Policy (Confidential)

Tara et al:

Please provide us with the current version of the POM's referenced in Section VIII of the document. A review of those documents is necessary to ensure that the policy complies with the Injunctive Order.

Thank you.

Pete

Sent from my iPad

Begin forwarded message:

From: Frank Gallucci <FGallucci@pglawyer.com>
Date: February 21, 2023 at 10:07:28 AM EST
To: "Peter H. Weinberger" <PWeinberger@spanglaw.com>
Subject: FW: T3 Injunction Order - Walmart Policy (Confidential)

From: Fumerton, Tara A. <tfumerton@JonesDay.com>
Sent: Monday, February 20, 2023 4:55 PM
To: Dan Polster <Dan_Polster@ohnd.uscourts.gov>
Cc: Justin_Washburne@ohnd.uscourts.gov; Frank Gallucci <FGallucci@pglawyer.com>; Majoras, John M. <jmmajoras@JonesDay.com>; Tabacchi, Tina M. <tmtabacchi@JonesDay.com>
Subject: T3 Injunction Order - Walmart Policy (Confidential)

Dear Judge Polster,

Please see attached Walmart's Controlled Substance Compliance Program Policy – Lake and Trumbull Counties, created in response to the T3 Injunction Order. As you are aware, Walmart has numerous policies and procedures that address the handling and dispensing of controlled substances. We request that the document be maintained as confidential.

Thank you,

Tara

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